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January 8, 2016

**VIA ECF**

Honorable Marilyn D. Go  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Chad Rose v. City of New York, et al.,  
15 CV 5529 (JBW) (MDG)

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendants City of New York ("City"), Police Officers Charles Arnone, Frank Beers, Steven Fursa, and Paul Mallilo in the above-referenced action. Defendants respectfully request an adjournment of the initial conference that is currently scheduled for January 22, 2016, at 11:30 a.m., before Your Honor. Plaintiff's counsel, Benjamin Moore, Esq., consents to this request and this is the first request for the adjournment of the initial conference.

Defendants respectfully request an adjournment of the initial conference because the undersigned was recently assigned to trial before the Honorable Raymond J. Dearie in the case of Alexander Horvath v. City of New York, et al., 12-CV-6005 (RJD) (MDG) that is scheduled to begin on January 25, 2016. As such, the undersigned will be preparing for trial, on January 22, 2016. The trial is anticipated to last between one and two weeks. If the Court grants this application, the parties are available on February 9, 2016 and February 15, 2016 for the rescheduled initial conference.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Peter J. Fogarty

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cc:

**VIA ECF**

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